

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

|                             |   |                              |
|-----------------------------|---|------------------------------|
| INDECK KEYSTONE ENERGY LLC, | ) |                              |
|                             | ) |                              |
| Plaintiff,                  | ) |                              |
|                             | ) |                              |
| v.                          | ) | Civil Action No. 04-325 Erie |
|                             | ) |                              |
| VICTORY ENERGY OPERATIONS   | ) | Judge Sean J. McLaughlin     |
| LLC,                        | ) |                              |
|                             | ) |                              |
| Defendant                   | ) |                              |

**ORDER**

AND NOW, this \_\_\_\_\_ day of April, 2007, the Defendant's Motion for Pre-Trial Finding that the License Agreement Did Not Prohibit the Use of Technical Information After Expiration of the Agreement is granted and this Court hereby finds that the License Agreement did not prohibit VEO's use of Technical Information after expiration of the License Agreement.

\_\_\_\_\_  
Sean J. McLaughlin  
United States District Judge